

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RAMON MODESTO,

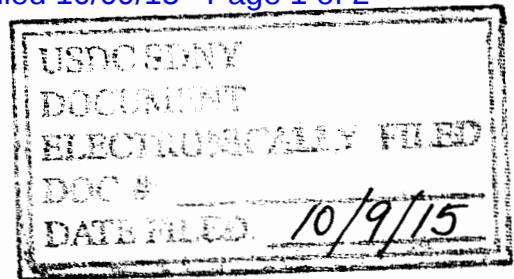
Plaintiff,

-against-

HECTOR FIGUEROA, PRES. OF SEIU 32BJ,  
ET AL.,

Defendants.  
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KEVIN NATHANIEL FOX  
UNITED STATES MAGISTRATE JUDGE



**ORDER**

15-CV-495 (RA) (KNF)

On March 16, 2015, the Clerk of Court issued summonses in this action. The plaintiff's attempt to serve, via the United States Marshals Service, a copy of the summons and complaint on Christian Gonzales and Peter St. John was unsuccessful, as indicated in the Process Receipt and Return Forms, USM-285, stating "unable to serve at address provided/return to sender per USPS/see attached envelope." (Docket Entry Nos. 8 & 9). On May 18, 2015, the plaintiff sent a letter to the Pro Se Office of this court, stating that he "went in on April 17, 2015 and gave better address to your office-please see original copies attached of the PROCESS RECEIPT AND RETURN (green page)," and asked that the service "be completed by the US Marshals Service." (Docket Entry No. 36). On July 10, 2015, the plaintiff wrote to the Pro Se Office of this court, asking that the service of process be completed. (Docket Entry No. 56). On October 2, 2015, the plaintiff wrote to the Pro Se Office of this court, requesting "copies of forms to serve PETER ST. JOHN and CHRISTIAN GONZALEZ," because "Docket records will show that I have sent two (2) letters with the correct address for the defendants to be served, but no action on my request has been taken until now. I will complete service through a private process server."

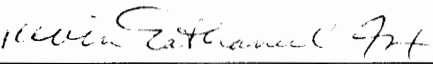
(Docket Entry No. 82).

The docket sheet maintained by the Clerk of Court in this action does not indicate that the Process Receipt and Return Forms, USM-285, concerning Peter St. John and Christian Gonzales, received by the Pro Se Office on April 17, 2015, were processed. As the summonses issued on March 16, 2015, expired and the plaintiff wishes to effect service by using a private process server, IT IS ORDERED THAT:

- (1) the Clerk of Court: (a) issue summonses to the plaintiff for defendants Peter St. John and Christian Gonzales; and (b) send those summonses and the service packages to the plaintiff, expeditiously;
- (2) within 30 days from the date of the issuance of the summonses, the plaintiff: (i) effect service of the summons and complaint on Peter St. John and Christian Gonzales; and (ii) file proof of service with the Clerk of Court.

Dated: New York, New York  
October 9, 2015

SO ORDERED:

  
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KEVIN NATHANIEL FOX  
UNITED STATES MAGISTRATE JUDGE

Copy mailed to:  
Ramon Modesto